

# AMERICAN LEGISLATIVE EXCHANGE COUNCIL

## MEMORANDUM

**TO: COMMERCE, INSURANCE AND ECONOMIC DEVELOPMENT TASK FORCE MEMBERS**  
**FROM: COURTNEY O'BRIEN, TASK FORCE DIRECTOR**  
**DATE: OCTOBER 27, 2011**  
**RE: 35 DAY MAILING—2011 STATES AND NATIONAL POLICY SUMMIT**

The American Legislative Exchange Council will host its 2011 States and National Policy Summit **November 30<sup>th</sup> – December 2<sup>nd</sup>** at the Westin Kierland Hotel in **Phoenix, Arizona**. The early registration deadline is November 7<sup>th</sup>, you may register for the meeting [here](#).

The Commerce, Insurance and Economic Development Task Force will meet on **Thursday, December 1<sup>st</sup> from 2:30 – 5:30 pm**. We have an exciting agenda including the introduction of policy on employee classification laws, the devolution of federal transportation funds to the states, electronic payroll cards, and private professional certification. The Task Force will also host a panel on natural catastrophe response in 2011. The U.S. has had a record 10 weather catastrophes costing more than a billion dollars. The panel will be moderated by Mr. Emory Wilkerson, *State Farm Insurance*, and feature industry leaders speaking on the effects, response, and next steps.

The Transportation and Infrastructure Subcommittee of the Commerce, Insurance and Economic Development Task Force will meet the morning of **Wednesday, November 30<sup>th</sup> at 9:00 am**. The subcommittee will host a panel: “Keeping Rail on Track: A Q&A Session with Rail Industry Leaders.” The panel will be moderated by Mr. Geoff Segal, *Macquarie Capital*, and will feature rail industry leaders. The subcommittee will also discuss and take an advisory vote on the “Resolution to Restore Transportation to the States.”

The Labor and Business Regulation Subcommittee will host a conference call on **November 7<sup>th</sup> at 11 am ET** to discuss and hold an advisory vote on the “Resolution on the Misapplication of Employee Classification Laws.” All Task Force members are encouraged to call in. To call in, please dial (712) 432-0075; Passcode: 448313. Please RSVP to [csullivan@alec.org](mailto:csullivan@alec.org) if you plan on joining us.

In addition, the Civil Justice Task Force is launching a “Workers’ Compensation” Subcommittee at the States and Nation Policy Summit. The subcommittee will meet **Wednesday, November 30, 10:15-11:15 am**. All Commerce, Insurance and Economic Development Task Force members are encouraged to attend and participate. Please contact Amy Kjose, Civil Justice Task Force Director, for more information: [akjose@alec.org](mailto:akjose@alec.org).

**Please find the following materials enclosed:**

- Annual Meeting Agenda-at-a-Glance
- Labor and Business Regulation Subcommittee Conference Call Agenda
- Transportation and Infrastructure Subcommittee Agenda
- Task Force Meeting Tentative Agenda
- 2011 Annual Meeting Minutes
- Draft Model Legislation
- ALEC Mission Statement
- Scholarship Policies by Meeting
- SNPS Registration Forms
- ALEC Task Force Operating Procedures

I look forward to seeing all of you in Phoenix! If you have any questions or comments regarding the meeting, please contact me at 202-742-8504 or by e-mail at [cobrien@alec.org](mailto:cobrien@alec.org).

Sincerely,



Courtney O'Brien  
Commerce, Insurance and Economic Development Task Force Director

# STATES & NATION POLICY SUMMIT

PHOENIX, AZ  
NOV. 30 - DEC. 2, 2011

Tuesday, November 29th

## **Joint Board of Directors Meetings**

[Registration](#)

ALEC Joint Board Reception and Dinner

**7:30 am – 5:00 pm**

[12:00 pm – 5:00 pm](#)

6:00 pm – 9:30 pm

Wednesday, November 30th

[Registration](#)

Task Force Subcommittee Meetings

[Exhibits](#)

State Chairs Meeting

New Legislator Orientation

## **Opening Plenary Luncheon**

Task Force Chairs Meeting

## **Workshops**

Welcome Reception

[7:30 am – 5:00 pm](#)

8:00 am – 11:30 am

[9:00 am – 5:00 pm](#)

9:00 am – 11:00 am

10:15 am – 11:15 am

**11:30 am – 1:15 pm**

1:30 pm – 2:45 pm

1:30 pm – 4:15 pm

6:30 pm – 8:30 pm

Thursday, December 1st

[Registration](#)

## **Plenary Breakfast**

[Exhibits](#)

Workshops

## **Plenary Luncheon**

Task Force Meeting:

- Civil Justice
- Commerce, Insurance, and Economic Development
- Education
- Telecommunications and Information Technology

[7:30 am – 5:00 pm](#)

**8:00 am – 9:15 am**

[9:00 am – 5:00 pm](#)

9:30 am – 12:15 pm

**12:30 pm – 2:15 pm**

2:30 pm – 5:30pm

National Chairman's Reception, *by Invitation Only*

Gala Holiday Reception

Hospitality Suite

5:30 pm – 6:30 pm

6:30 pm – 8:30 pm

9:00 pm – 11:00 pm

**Friday, December 2nd**

Registration

7:30 am – 2:30 pm

**Plenary Breakfast**

**8:00 am – 9:15 am**

Exhibits

9:00 am – 5:00 pm

Workshops

9:30 am – 12:15 pm

**Plenary Luncheon**

**12:30 pm – 1:45 pm**

Task Force Meetings:

2:00 pm – 5:00 pm

- Energy, Environment and Agriculture
- Health and Human Services
- International Relations
- Public Safety and Elections
- Tax and Fiscal Policy

**State Delegation Night**

**Beginning at 6:30 pm**



## **Labor and Business Regulation Subcommittee Conference Call**

**Monday, November 7<sup>th</sup>, 2011  
11:00 AM ET – 12:00PM ET**

**Conference Line: (712) 432-0075  
Passcode: 448313**

### **Tentative Agenda**

- 11:00 a.m. Welcome and Introductions**  
Representative Dawn Pettengill, *Iowa*, Public Sector Chair  
Mr. Matthew Lathrop, *YUM! Brands*, Private Sector Chair
- 11:05 a.m. Proposed Model Legislation: Discussion and Advisory Vote**  
**“Resolution on the Misapplication of Employee Classification Laws”**  
Mr. Troy Flanagan, *International Franchise Association*
- 11:50 a.m. For the Good of the Order**
- 12:00 a.m. Adjournment**



**Transportation and Infrastructure Subcommittee**

**2011 States and Nation Policy Summit**

**Phoenix, Arizona**

**Wednesday, November 30**

**9:00 a.m. – 10:15 a.m.**

**Location: TBD**

**Tentative Agenda**

- 9:00 a.m. Welcome and Introductions**  
Delegate John Cosgrove, VA, Public Sector Chair  
Mr. Geoff Segal, *Macquarie Capital USA*, Private Sector Chair
- 9:10 a.m. Proposed Model Legislation: Discussion and Advisory Vote**  
  
**“Resolution to Restore Transportation to the States”**  
Dr. Adrian Moore, *Reason Foundation*  
Co-presenter: Senator Chip Rogers, GA
- 9:30 a.m. “Keeping Rail on Track: A Q&A with Rail Industry Leaders”**  
Moderator: Mr. Geoff Segal, *Macquarie Capital USA*  
Mr. Jim Kvedaras, *Canadian National Railway*  
Mr. Scott Moore, *Union Pacific*  
Panelist 3 to be announced
- 10:10 a.m. For the Good of the Order**
- 10:15 a.m. Adjournment**



Commerce, Insurance & Economic Development Task Force  
2011 State and National Policy Summit  
Thursday, December 1  
2:30 pm – 5:30 pm  
Location TBD

**Tentative Agenda**

**1. Call to Order**

**2:30 PM**

Attendance  
Introduction of New Members  
Approval of Minutes  
Subcommittee Reports  
a) Financial Services  
b) Labor and Business Regulation  
c) Transportation and Infrastructure

**2. Model Legislation and Presentations**

**3:00 PM**

**“Resolution on the Misapplication of Employee Classification Laws”**

Mr. Troy Flanagan, *International Franchise Association*

**“Resolution to Restore Transportation to the States”**

Dr. Adrian Moore, *Reason Foundation*

Co-presenter: Senator Chip Rogers, *GA*

**PANEL: Natural Catastrophe Response (50)**

Moderator: Mr. Emory Wilkerson, *State Farm Insurance*

*Panelists to be announced*

**“Resolution in Support of Payroll Cards”**

Ms. Kate Viar, *VISA*

**“Competitive Private Professional Certification”**

Representative Tom Forese, *Arizona*

**3. For the Good of the Order**

**5:25 PM**

**4. Adjournment**

**5:30 PM**

**American Legislative Exchange Council**  
Commerce, Insurance and Economic Development Task Force  
August 5, 2011

## **I. Preliminaries**

The Task Force approved the minutes of the 2011 Spring Task Force Summit meeting by a unanimous voice vote.

## **II. Subcommittee Reports**

### **1. Financial Services –Rep. Fred Steen, *North Carolina***

The subcommittee met the morning of August 3, 2011. The subcommittee heard from Mr. Eli Lehrer, *Heartland Institute*, regarding Dodd-Frank and received feedback from members regarding the future direction of the subcommittee.

### **2. Labor and Business Regulation Subcommittee – Representative Dawn Pettengill, *Iowa***

The Subcommittee met on the morning of August 3<sup>rd</sup>, 2011. The group heard from Mr. Stan Harris of the *Louisiana Restaurant Association* and received feedback from members on the future direction of the subcommittee.

### **3. Transportation and Infrastructure Subcommittee –Delegate John Cosgrove, *Virginia***

The Subcommittee met on the morning of August 3<sup>rd</sup>, 2011 and voted and approved the following model policies: *Establishing a Public-Private Partnership (P3) Authority Act*, the *Resolution in Support of a National Infrastructure Bank*, and the *Long Term Asset Management Act*. Mr. Patrick Rhode, *Cintra U.S.*, introduced the subcommittee to *Cintra U.S.*'s projects and Dr. Adrian Moore of *Reason Foundation* presented on user-based mileage fees. The group also received feedback from members on the future of the subcommittee.

## **III. Presentations**

1. Panel: Tapping the Private Sector to Save Money and Improve Performance – Mr. Geoff Segal, *Macquarie Capital USA*, Mr. Len Gilroy, *Reason Foundation*, Mr. Dustin Lanier, *Civic Initiatives, LLC*, Mr. Butch Eley, *AMOTIA*, and Mr. Michael Deane, *National Association of Water Companies*.

## **IV. Consideration of Model Legislation**

1. “Establishing a Public-Private Partnership (P3) Authority Act” –by Mr. Geoff Segal, *Macquarie Capital USA*

This Act establishes a state Partnership Committee and an Office of Public-Private Partnerships to identify and establish public-private partnerships and approve qualified bidders, requests for proposals, and template contracts. The Act is designed to improve public operational efficiencies and environmental performance, promote public safety, attract private investment in the state, and minimize governmental liabilities.

Motion to adopt the model legislation; passed the public sector unanimously; passed the private sector unanimously; **Bill Passed.**

2. Amendments to the ALEC “Resolution on Franchise and Business Agreement Legislation” -- by Mr. Troy Flanagan, *International Franchise Association & Parquet Public Affairs*

Amendments to the “Resolution on Franchise and Business Agreement Legislation” recognizing that franchising is a business-to-business relationship not akin to that of employer-employee.

Motion to table the resolution amendments for subcommittee; motion to table passed the public sector; passed the private sector; **Amendments Tabled to subcommittee.**

3. “Multiple Award Schedule Contracts Act” – by Mr. Thom Iles, *John Deere & Company*

This Act requires state contracts to be awarded via Multiple Award Schedule (MAS) contracts. MAS contracts provide state agencies the freedom to evaluate vendors based upon a variety of factors including: discounts, total lifecycle costs, service, warranty, distribution channels, and past vendor performance. MAS contracts allow multiple vendors to compete and be awarded a contract based upon the value of their products or services and result in competitive pricing, transparency, administrative savings, expedited procurement, and flexibility for state purchasers.

Motion to adopt the model legislation; passed the public sector unanimously; passed the public sector unanimously; **Bill Passed.**

4. “Long Term Asset Management Act” – by Mr. Butch Eley, *AMOTIA*

This Act encourages the state Department of Transportation to develop and implement long-term asset management strategies and programs for



all transportation infrastructure assets. This Act also encourages the Department of Transportation to work in partnership with the private sector to achieve accountability, improve outcomes, and produce savings in an innovative, timely and cost efficient manner.

Motion to adopt the legislation; passed the public sector unanimously; passed the private sector unanimously; **Bill Passed.**

**V. For the Good of the Order**

**VI. Adjournment**

# DRAFT Resolution on the Misapplication of Employee Classification Laws

## Summary

This resolution recognizes that business format franchising is a major contributor to the United States economy. The resolution also recognizes that franchising is a contractual business relationship, not akin to an employment relationship.

### *Model Resolution*

**WHEREAS**, franchising contributes \$1.2 trillion to the United States economy through 820,000 franchise businesses; and

**WHEREAS**, franchise businesses employ over 9 million workers; and

**WHEREAS**, franchising has been a major source of economic expansion in the United States, particularly in the retail trade and services sectors, providing entrepreneurs with a proven route to business ownership; and

**WHEREAS**, business and franchise agreements are contracts that govern the duties and obligations of the parties to these agreements; and

**WHEREAS**, Section 10 of the U.S. Constitution and most state constitutions specifically prohibit impairment of contracts that are freely and openly entered into by the parties; and

**WHEREAS**, the area of contract law is a well established and settled area of law with sound guiding principles outlined in the uniform commercial code; and

**WHEREAS**, legislation or regulations which would improperly classify franchisees as “employees” is a misinterpretation of labor and contract policy and deprives franchise investors of valuable economic opportunities; and

**THEREFORE, BE IT RESOLVED**, that the American Legislative Exchange Council (ALEC) opposes enactment of laws that interfere with business and franchise agreements freely and openly entered into by parties.

**BE IT FURTHER RESOLVED**, that ALEC opposes enactment of laws and regulations that have the effect of classifying franchisees as “employees” of the franchisor.

# DRAFT Resolution to Restore Transportation to the States

## *Summary*

This Resolution empowers the state of [insert state] to manage gas tax dollars without federal government interference.

## *Model Resolution*

**WHEREAS**, the United States Department of Transportation was established by an act of Congress on October 15, 1966, and the department's first official day of operation was April 1, 1967; and

**WHEREAS**, the mission of the department is to "Serve the United States by ensuring a fast, safe, efficient, accessible and convenient transportation system that meets our vital national interests and enhances the quality of life of the American people, today and into the future."; and

**WHEREAS**, the main mission of the department has largely been fulfilled by the completion of the federal interstate highway system; and

**WHEREAS**, state and local governments are faced with difficult decisions regarding local transportation needs on a continuing and ever-increasing basis; and

**WHEREAS**, the federal motor fuel taxes charged to the citizens of [insert state] are needlessly sent to the federal government before being returned to the state government; and

**WHEREAS**, federal restrictions, mandates and spending requirements prevent the citizens of [insert state] from setting their own transportation priorities; and

**THEREFORE, BE IT JOINTLY RESOLVED** by the Assembly and Senate of the state of [insert state] that this body urges making funds collected under the federal gas tax immediately available to individual states to fund their transportation needs; and

**BE IT FURTHER RESOLVED** that this body urges federal government to cease the collection of motor fuel taxes in [insert state] so that the state can collect and distribute the taxes without delay caused by federal collection and disbursement; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be delivered to the Commissioner of the United States Department of Transportation and to the congressional delegation of the state of [insert state.]

# DRAFT ALEC Resolution in Support of Payroll Cards

## *Summary*

Payroll cards provide a safe, convenient, and cost-effective method of wage payment for both employees and employers—bringing underserved citizens into the financial mainstream. Existing laws on payroll cards provide important consumer protections. This resolution opposes recent efforts to over-regulate payroll card laws, such as unreasonable mandates on employers to provide programs that require free banking services which will ultimately increase the cost of payroll card provision, reduce the likelihood of their use, and consequently, their benefits.

## *Model Resolution*

**WHEREAS**, a payroll card is a reloadable prepaid card issued to an employee by or on behalf of an employer through a national or regional bank, credit union, or savings and loan association for the receipt of wages and other compensation; and

**WHEREAS**, a payroll card provides access to many fee-free financial services that would not otherwise be available to unbanked and under-banked employees; and

**WHEREAS**, payroll cards are one of the least expensive means for employees to receive their wages and provide underserved employees with a pathway into the financial mainstream; and

**WHEREAS**, private sector employers should be able to use this beneficial payment method that the Federal Government and a majority of States already understand the value of and use to deliver benefits payments as well as payroll; and

**WHEREAS**, payroll cards provide significant cost savings to employers by allowing them to transition to electronic payments and avoid the significantly higher costs associated with issuing paper checks; and

**WHEREAS**, payroll cards provide employers with a reliable means of providing employees payment even when unforeseen obstacles arise, such as natural disasters, employee illness and inclement weather; and

**WHEREAS**, payroll cards are already regulated in many states and consumers are afforded necessary protections and disclosures through existing laws; and

**WHEREAS**, the American Legislative Exchange Council (ALEC) has approved model policy enabling the use of payroll cards by employers with reasonable consumer protections; and

**WHEREAS**, efforts that impose restrictions beyond those set forth in the approved ALEC model policy and efforts that require unreasonable mandates on employers to provide programs that offer free financial services to unbanked employees would serve only to increase the costs and administrative burdens of providing payroll cards for both employers and payroll card providers, making them less likely to offer payroll cards.

**THEREFORE BE IT RESOLVED**, that ALEC opposes the enactment of laws that go beyond requiring full and free access to wages and that require employers and issuers to provide unreasonable free financial services to employees.

# DRAFT Competitive Private Professional Certification Act

## *Summary*

Government licensing of professions is often justified on the basis that it protects health and safety and that it allows members of a profession to signal that potential customers can be assured of a minimum level of quality. This arguably enhances market outcomes and opportunity. On the other hand, licensing has the effect of creating monopoly-type benefits for those in a licensed profession at the expense of consumers and at the expense of others willing to provide a quality service. Often, economists have recommended certification as an alternative to licensing but certification is difficult to enforce privately with reliance on civil action. Government certification looks a lot like licensing. This model bill proposes private certification enforced by criminal law. There can be multiple private certifying organizations for similar professions and individuals could practice a profession without any certification at all (unless the profession is licensed). Professionals can signal quality with their certification credentials credibly enforced through criminal law while not blocking others from practicing the profession.

## *Model Legislation*

### **Section 1. {Definitions}**

(A) The term “private professional certification” is a non-transferable credential granted to an individual by a private certifying organization that indicates the individual is well qualified to practice a profession within a scope of professional practice as defined by the certifying organization.

(B) The term “private certifying organization” is any organization that:

(1) is non-governmental,

(2) allows any individual to apply for a certification credential regardless of gender, race, or ethnicity,

(3) requires bona fide minimum qualifications and/or criteria that an individual must meet, beyond mere registration and/or payment of a fee, in order to gain certification,

(4) defines a scope of professional practice appropriate to each class of credential granted to individuals,

(5) makes credentialing requirements and scopes of professional practice readily available to the public, and

(6) requires that privately certified individuals in good standing prominently display their credentialed status and make available credentialing requirements with the appropriate scope of professional practice.

**Section 2. {Punishment and Allowances}**

(A) Any individual who knowingly and falsely claims a private professional certification as defined by this section is guilty of a felony punishable by a maximum of five years in prison.

(B) Notwithstanding any other law, no individual with a private professional certification may be prevented from practicing the credentialed profession by any agency or subdivision of this state.

(C) Unless otherwise established in state law, no agency or subdivision of this state may prevent an individual from practicing a profession due to that individual's lack of a private professional certification credential.

**Section 3. {Severability clause}**

**Section 4. {Repealer clause}**

**Section 5. {Effective date}**



## **Mission Statement**

The American Legislative Exchange Council's mission is...

To advance the Jeffersonian Principles of free markets, limited government, federalism, and individual liberty through a nonpartisan public-private partnership among America's state legislators, concerned members of the private sector, the federal government, and the general public.

To promote these principles by developing policies that ensure the powers of government are derived from, and assigned to, first the People, then the States, and finally the Federal Government.

To enlist state legislators from all parties and members of the private sector who share ALEC's mission.

To conduct a policy making program that unites members of the public and private sector in a dynamic partnership to support research, policy development, and dissemination activities.

To prepare the next generation of political leadership through educational programs that promote the principles of Jeffersonian democracy, which are necessary for a free society.

## **SCHOLARSHIP POLICY BY MEETING**

### ***ALEC Spring Task Force Summit:***

1. ***Spring Task Force Summit Reimbursement Form:*** ALEC Task Force Members are reimbursed by ALEC up to \$350.00 for travel expenses. Receipts must be forwarded to the ALEC Policy Coordinator and approved by the Director of Policy.
2. ALEC Task Force Members' room & tax fees for up to a two-night stay at the host hotel are covered by ALEC.
3. Registration fees are not covered; however, Task Force Members may submit registration expenses for payment from their state scholarship account upon approval of the State Chair.
4. *Official Alternate Task Force Members* (chosen by the State Chair and whose names are given to ALEC more than 35 days prior to the meeting to serve in place of a Task Force Member who cannot attend) are reimbursed in the same manner as Task Force Members.
5. ***State Scholarship Reimbursement Form:*** Any fees above the set limit, or expenses other than travel and room expenses can be submitted by Task Force Members for payment from their state scholarship account upon the approval of the State Chair. Receipts must be submitted to the State Chair, who will submit the signed form to the Director of Membership.
6. *Non-Task Force Members* can be reimbursed out of the state scholarship fund upon State Chair approval. Receipts must be submitted to the State Chair, who will submit the appropriate signed form to the Director of Membership.

### ***ALEC Annual Meeting:***

***State Scholarship Reimbursement Form:*** State scholarship funds are available for reimbursement by approval of your ALEC State Chair. Expenses are reimbursed after the conference, and may cover the cost of travel, room & tax, and registration. Receipts are to be submitted to the State Chair, who will then submit the signed form to the Director of Membership.

### ***ALEC States & Nation Policy Summit:***

1. ***States & Nation Policy Summit Reimbursement Form:*** ALEC offers two scholarships per state to cover the cost of travel, room & tax, and registration not to exceed \$1,000.00 per person for a total of \$2,000.00 per state. ALEC scholarship recipients must be named by the ALEC State Chair. Expenses are submitted to the State Chair and reimbursed after the conference. The State Chair submits the signed form to the Director of Membership.
2. ***State Scholarship Reimbursement Form:*** Any other fees or payments must come out of the state scholarship account, with the approval of the State Chair. Receipts must be submitted to the State Chair, who submits the signed form to the Director of Membership.

### ***ALEC Academies:***

***Academy Reimbursement Form:*** Attendees of ALEC Academies are reimbursed by the Task Force Committee hosting the Academy. Attendees will receive a form at the Academy, and will be reimbursed up to \$500.00 for travel, and room & tax fees for a two-night stay by ALEC. Receipts must be forwarded to the appropriate Task Force Director and approved by the Director of Policy.



# 2011 ALEC STATES AND NATION POLICY SUMMIT

November 30 – December 2, 2011

The Westin Kierland Hotel  
6902 E. Greenway Parkway • Scottsdale, AZ 85254

STATES  
&  
NATION  
POLICY SUMMIT

PHOENIX, AZ  
NOV. 30 - DEC. 2, 2011

## ATTENDEE REGISTRATION / HOUSING FORM

Early registration deadline: November 7, 2011

Housing cut-off date: November 7, 2011

Online  
www.alec.org

Fax (credit cards only)  
202.331.1344

Phone / Questions  
Registration 202.742.8538 (Mon-Fri, 9am-5:30 pm Eastern)  
Housing 1-866-716-8137 (Available 24/7)

### ATTENDEE INFORMATION

Prefix (required) ☐ Sen ☐ Rep ☐ Del ☐ Mr ☐ Mrs ☐ Ms ☐ Other \_\_\_\_\_  
Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Middle Initial \_\_\_\_\_ Badge Nickname \_\_\_\_\_  
Title \_\_\_\_\_  
Organization (required) \_\_\_\_\_  
Mailing Address ☐ Business ☐ Home \_\_\_\_\_  
City \_\_\_\_\_ State/Province \_\_\_\_\_ Country \_\_\_\_\_ ZIP/Postal code \_\_\_\_\_  
Daytime phone \_\_\_\_\_ Fax \_\_\_\_\_ Alternate phone \_\_\_\_\_  
Email (confirmation will be sent by email) \_\_\_\_\_  
Emergency Contact Name \_\_\_\_\_ Daytime Phone \_\_\_\_\_ Evening Phone \_\_\_\_\_  
Dietary Restrictions \_\_\_\_\_  
Spouse / Guest: If registering a spouse or guest, please complete the spouse/guest registration form.

### REGISTRATION INFORMATION

#### Registration Fees

Note: Member fees are subject to verification

	Early Until Nov 7	Onsite Begin Nov 8	Daily
<input type="checkbox"/> ALEC Legislative Member	\$375	\$475	\$245
<input type="checkbox"/> Legislator / Non-Member	\$475	\$575	\$345
<input type="checkbox"/> ALEC Private Sector Member	\$725	\$875	\$445
<input type="checkbox"/> Private Sector Non-Member	\$925	\$1100	\$545
<input type="checkbox"/> ALEC Non-Profit Member (501(c)(3) status required)	\$525	\$625	\$345
<input type="checkbox"/> Non-Profit Non-Member (501(c)(3) status required)	\$675	\$825	\$445
<input type="checkbox"/> Legislative Staff / Government	\$400	\$500	\$245
<input type="checkbox"/> ALEC Alumni	\$425	\$525	\$295
<input type="checkbox"/> ALEC Legacy Member	\$0	\$0	\$0

For Daily Registration, circle which day: Wed Thur Fri

REGISTRATION FEE : \$ \_\_\_\_\_

(Subtract \$50 from your registration fee if you are booking at The Westin Kierland Hotel)

**REGISTRATION CONFIRMATION INFORMATION** Online registrants will receive immediate email confirmation. If registering by form, confirmation will be emailed within 72 hours of receipt of payment.

**Note:** Registration forms with enclosed payments must be received by November 7, 2011 to be eligible for early bird registration rates. Forms and/or payments received after November 7, 2011 will be subject to on-site registration rates.

**DISCOUNT** You are eligible for \$50 discount on registration fee if you are registering and booking accommodations in ALEC's room block at The Westin Kierland Hotel before November 7, 2011. Hotel reservations will be verified for those who receive discounted rate. If you receive a discount and later cancel your Westin room reservation, you will be charged (or you will be invoiced) for an additional \$50 for your registration fee after the meeting.

#### METHOD OF REGISTRATION PAYMENT

**Credit Card:** Credit cards will be charged immediately.

☐ Amer Express ☐ Visa ☐ MasterCard

Card # \_\_\_\_\_

Cardholder (please print) \_\_\_\_\_

Exp Date (mm/yy) \_\_\_\_/\_\_\_\_ Signature \_\_\_\_\_

**REGISTRATION CANCELLATION / REFUND INFORMATION** Registrations cancelled prior to 5:00 pm Eastern November 7, 2011 are subject to a \$100 cancellation fee. Registrations are non-refundable after 5:00 pm Eastern November 7, 2011. Registration fees may be transferred from one registrant to another.

All refund requests must be made in writing and sent via email to meetings@alec.org or fax to 202-331-1344.

### HOUSING

### RESERVATION CUTOFF FOR ALEC DISCOUNTED RATE IS NOVEMBER 7, 2011

**\*\*Save \$50 on registration by booking your hotel room in ALEC's room block at The Westin Kierland Hotel\*\***

☐ I do not require a reservation at this time.

Arrival Date \_\_\_\_\_ Departure Date \_\_\_\_\_

☐ Sharing room with \_\_\_\_\_

#### Room type

- ☐ Single (1 Adult) \$ 208  
☐ Double (2 Adults) \$ 208  
☐ Triple (3 Adults) \$ 258  
☐ Quad (4 Adults) \$ 308

**Suites and upgraded accommodations** are available upon request. Please call 1-866-716-8137 for additional information.

#### Special requests

- ☐ ADA room required:  
\_\_\_\_ Audio \_\_\_\_ Visual \_\_\_\_ Mobile  
☐ Rollaway / crib: \_\_\_\_\_  
☐ Other: \_\_\_\_\_

#### METHOD OF HOUSING PAYMENT

☐ Please use the same method of payment as above.

**Credit Card:** Credit Cards will be used to guarantee the reservation.

☐ Amer Express ☐ Visa ☐ MasterCard ☐ Discover

Card # \_\_\_\_\_

Cardholder (please print) \_\_\_\_\_

Exp Date (mm/yy) \_\_\_\_/\_\_\_\_ Signature \_\_\_\_\_

\* All rates DO NOT include sales tax 12.27 % (subject to change)

**Note:** Cutoff for reservations at the ALEC rate is November 7, 2011. After November 7, 2011, every effort will be made to accommodate new reservations, based on availability and rate.

#### HOUSING CONFIRMATION INFORMATION

Online reservations will receive immediate email confirmation. Reservations received by form will be confirmed via email within 72 hours of receipt.

#### HOUSING CANCELLATION / REFUND INFORMATION

Credit cards will be charged one night room and tax in the event of a no show or if cancellation occurs within 72 hours prior to arrival. Please obtain a cancellation number when your reservation is cancelled.

# 2011 ALEC STATES AND NATION POLICY SUMMIT

November 30 – December 2, 2011


The Westin Kierland Hotel  
6902 E. Greenway Parkway • Scottsdale, AZ 85254


STATES  
&  
NATION  
POLICY SUMMIT

PHOENIX, AZ  
Nov. 30 - Dec. 2, 2011

## SPOUSE/GUEST REGISTRATION FORM

 **Online**  
www.alec.org

 **Fax (credit cards only)**  
202.331.1344

 **Phone / Questions** • Mon-Fri, 9am-5:30 pm Eastern  
Registration: 202.742.8538

### ATTENDEE INFORMATION IS REQUIRED TO REGISTER A SPOUSE OR GUEST

Last Name \_\_\_\_\_ First Name \_\_\_\_\_  
Organization \_\_\_\_\_  
Daytime phone \_\_\_\_\_  
Email (*Confirmation will be sent by email*) \_\_\_\_\_

### SPOUSE / GUEST REGISTRATION

#### SPOUSE / GUEST REGISTRATION GUIDELINES

1. Spouse / guest registration is meant to accommodate legal spouse and immediate family members.
2. Attendees from the same organization must register independently. No exception will be made.
3. Spouse / guest designation will be clearly visible on name badge.

Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Middle initial \_\_\_\_\_ Badge Nickname \_\_\_\_\_  
Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Middle initial \_\_\_\_\_ Badge Nickname \_\_\_\_\_  
Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Middle initial \_\_\_\_\_ Badge Nickname \_\_\_\_\_

#### SPOUSE / GUEST REGISTRATION FEES

**Number of  
Spouse/Guest(s)**

**Fee**

**TOTAL**

☐ Spouse / Guest *please note name(s) above* \_\_\_\_\_ \$ 150 \$ \_\_\_\_\_

#### METHOD OF SPOUSE / GUEST REGISTRATION PAYMENT

**Credit Card:** Credit cards will be charged immediately. Please fax to the above number for processing.

☐ Amer Express Card # \_\_\_\_\_  
☐ Visa Cardholder (*please print*) \_\_\_\_\_  
☐ MasterCard Exp Date (*mm/yy*) \_\_\_\_/\_\_\_\_ Signature \_\_\_\_\_

#### REGISTRATION CONFIRMATION INFORMATION

Online registrants will receive immediate email confirmation. If registering by form, confirmation will be emailed within 72 hours of receipt of payment.

#### REGISTRATION CANCELLATION / REFUND INFORMATION

Registrations cancelled prior to 5pm Eastern November 7, 2011 are subject to a \$100 cancellation fee. Registrations are non-refundable after 5pm Eastern November 7, 2011.



## **American Legislative Exchange Council TASK FORCE OPERATING PROCEDURES**

### ***I. MISSION OF TASK FORCES***

Assume the primary responsibility for identifying critical issues, developing ALEC policy, and sponsoring educational activities which advance the Jeffersonian principles of free markets, limited government, federalism, and individual liberty. The mission will be accomplished through a non-partisan, public and private partnership between ALEC's legislative and private sector members in the specific subject areas assigned to the Task Force by the Board of Directors.

### ***II. TASK FORCE RESPONSIBILITIES***

- A. Task Forces have the primary responsibility for identifying critical issues and developing ALEC's official policy statements and model legislation appropriate to the **specific subject areas** of the Task Force.
- B. Task Forces serve as forums for an exchange of ideas and sharing of experiences between ALEC's state legislator and private sector members.
- C. Task Forces are responsible for developing and sponsoring the following educational activities appropriate to the specific subject area of the Task Force:
  - publications that express policy positions, including, but not limited to State Factors and Action Alerts;
  - educational communication and correspondence campaigns;
  - issue specific briefings, press conferences and press campaigns;
  - witness testimony and the activities of policy response teams;
  - workshops at ALEC's conferences; and
  - specific focus events.
- D. The Executive Director is to develop an **annual budget**, which shall include expenses associated with Task Force meetings and educational activities. A funding mechanism to finance all meetings and educational activities proposed by Task Forces must be available before they can be undertaken.



### **III. GENERAL PROCEDURES**

- A. Requests from ALEC members for policy statements, model legislation and educational activities shall be directed by the Executive Director to the appropriate Task Force, or the Board of Directors if the issue does not fall within the **jurisdiction** of any Task Force. The appropriate Public and Private Sector Task Force Co-Chairs determine the agenda for each Task Force meeting, and the meetings will be called and conducted in accordance with these Operating Procedures.

The Director of Policy with the consent of the Executive Director assigns a model bill or resolution to the most appropriate Task Force based on Task Force content and prior jurisdictional history 35 days before a Task Force Meeting. All Task Force Co-Chairs will be provided an email or fax summary of all **model bills and resolutions 35 days before** the Task Force meeting

If both the Co-Chairs of a Task Force are in agreement that they should have jurisdiction on model legislation or a resolution, the legislation or resolution will be considered by the Task Force. If the other Task Force Co-Chairs believe they should have jurisdiction or if the author of the model bill or resolution does not agree on the jurisdictional assignment of the bill, they will have **10 days after the 35-day mailer deadline** to submit in writing or by electronic appeal to the Director of Policy their intent to challenge the jurisdiction assignment. The Director of Policy will notify the Executive Director who will in turn notify the National Chair and the Private Enterprise Board Chair. The National Chair and the Private Enterprise Board Chair will in turn refer the matter in question to the Board of Directors Task Force Board Committee. The Director of Policy will establish a conference call for the Task Force Board Committee co- chairs, the author, the affected Task Force Co-Chairs and the Director of Policy at a time convenient for all participants.

**The Task Force Board Committee Co-Chairs** shall listen to the jurisdictional dispute by phone or in person within 10 days of the request. If both Task Force Board Committee Co-Chairs are in agreement that the Director of Policy made an incorrect jurisdictional referral, only then will the model bill or resolution be reassigned to a committee as they specify once agreed upon by the **National Chair and the Private Enterprise Board Chair**. The bill or model resolution is still eligible to be heard in whatever Task Force it is deemed to be assigned to as if submitted to the correct Task Force for the 35-



day mailer. The National Chair and the Private Enterprise Board Chair decision is final on this model bill or resolution.

**Joint referral of model legislation and/or resolutions** are allowed if all the affected Task Force Co-Chairs agree. All model legislation and resolutions that have been referred to, more than one Task Force must pass the identical language in both Task Forces within two consecutive Task Force meetings. It is at the Task Force Co-Chairs discretion how they will handle the hearings of the model legislation or resolution. Both sets of co-chairs have the ability to call a working group, subcommittee, or simply meet consecutively or concurrently if necessary.

If the Task Force co-chairs both agree to waive jurisdiction, they may do so as long as another Task Force still has jurisdiction.

The National Chair and the Private Sector Board Chair will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Board Chair.

- B. **The National Chair and the Private Sector Board Chair** will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Board Chair.
- C. **The Board of Directors** shall have ultimate authority over Task Force procedures and actions including the authority to create, to merge or to disband Task Forces and to review Task Force actions in accordance with these Operating Procedures. Nothing in these Operating Procedures prohibits the Board of Directors from developing ALEC policy; however, such a practice



should be utilized only in exceptional circumstances. Before the policy is adopted by the Board of Directors, it should be sent to the Public and Private Sector Task Force Co-Chairs under whose jurisdiction the matter falls for review and comment back to the Board of Directors.

- D. The **operating cycle of a Task Force** is two years. A new operating cycle begins on January 1 of each odd numbered year and ends on December 31 of the following even numbered year. Task Force activities shall be planned and budgeted on an annual basis within each two-year operating cycle.
- E. If a Task Force is **unable to develop an operating budget**, the Board of Directors will determine whether to continue the operations of the Task Force. This determination will be made according to: (1) the level of membership on the Task Force, and (2) the need for continued services developed by the Task Force for ALEC.
- F. **The Board of Directors** shall have the authority to allocate limited general support funds to finance the annual operating budget of Task Forces that meet the requirements prescribed in Section III (E). The Executive Director shall determine, and report to the Board of Directors, the amount of general support funds available to underwrite such Task Forces.

#### ***IV. MEMBERSHIP AND MEMBER RESPONSIBILITIES***

- A. The membership of a Task Force consists of legislators who are members in good standing of ALEC and are duly appointed to the Task Force, in accordance with Section VI (A) and private sector organizations that are full members of ALEC, contribute to the assessment for the Task Force operating budget, and are duly appointed to the Task Force, in accordance with Section VI (B). Private sector organizations that were full members of ALEC and contributed the assessment for the Task Force's operating budget in the previous year, can be appointed to the Task Force for the current year, conditional upon renewal of full ALEC membership and receipt of the current year's assessment for the Task Force operating budget prior to March 31<sup>st</sup>, unless an alternative date has been approved by the Executive Director.
- B. Each Task Force shall have least two **Co-Chairs**; a Public Sector Task Force Co-Chair and a Private Sector Task Force Co-Chair. The Public Sector Task Force Co-Chair must be a member of the Task Force and appointed in



accordance with Section VI (A). The Private Sector Co-Chair must represent a private sector member of the Task Force and be appointed in accordance with Section VI(B). The Co-Chairs shall be responsible for:

- (1) calling the Task Force and the Executive Committee meetings to order, setting the agenda and co-chairing such meetings;
- (2) appointing and removing legislators and private sector members to and from the Task Force Executive Committee and subcommittees;
- (3) creating subcommittees, and determining each subcommittee's mission, membership limit, voting rules, deadlines, and term of service; and
- (4) selecting Task Force members to provide support for and against Task Force policies during formal Board reviews.

- C. Each Task Force shall have an **Executive Committee** appointed by the Public and Private Sector Task Force Co-Chairs that is appropriate in number to carry out the work product and strategic plan of ALEC and the Task Force. The Executive Committee shall consist of the Public Sector Task Force Co-chair, the Private Sector Task Force Co-Chair, the subcommittee co-chairs, and the remainder will be an equal number of legislative and private sector Task Force members. The Executive Committee will be responsible for determining the operating budget and proposing plans, programs and budgets for the succeeding year in accordance with (Section V (B)); determining if a proposed educational activity conforms to a previously approved model bill, resolution or policy statement in accordance with (Section IX (F)); and determining if an emergency situation exists that justifies waiving or reducing appropriate time limits in accordance with (Section VIII (H)).
- D. Each Task Force may have any number of **subcommittees**, consisting of Task Force members and advisors to focus on specific areas and issues and make policy recommendations to the Task Force. The Task Force Co-chairs, shall create subcommittees and determine each subcommittee's mission, membership limit, voting rules, deadlines, and term of service. Any model bill, resolution or policy statement approved by a subcommittee must be approved by the Task Force before it can be considered official ALEC policy.
- E. Each Task Force may have advisors, appointed in accordance with Section VI (G). **Advisors** shall assist the members and staff of the Task Force. They shall be identified as advisors on official Task Force rosters, included in all official





Task Force mailings and invited to all Task Force meetings. Advisors may also have their expenses paid at Task Force meetings covered by the Task Force operating budget with the approval of the Task Force Co-Chairs. An advisor cannot be designated as the primary contact of a private sector Task Force member, cannot be designated to represent a private sector Task Force member at a Task Force, Executive Committee, or subcommittee meeting, and cannot offer or vote on any motion at a Task Force, Executive Committee, or subcommittee meeting.

***V. Task Force Budgets***

- A. Each Task Force shall develop and operate a yearly budget to fund meetings.
- B. The **operating budget** shall be used primarily to cover expenses for Task Force meetings, unless specific funds within the budget are authorized for other use by the Task Force. The operating budget shall be assessed equally among the private sector members of the Task Force. The Executive Director, in consultation with the Task Force Co-Chairs shall determine which costs associated with each meeting will be reimbursed from the operating budget. Any funds remaining in a Task Force's operating budget at the end of a year are transferred to ALEC's general membership account.
- C. The operating budget shall not be used to cover Task Force meeting expenses associated with **alternate task force members'** participation, unless they are appointed by their State Chair to attend the Spring Task Force Summit with the purpose to serve in place of a Task Force Member who is unable to attend. Task Force meeting expenses of alternate task force members shall be covered by their state's scholarship account.
- D. The **programming budget** shall be used to cover costs associated with educational activities. Contributions to the programming budget are separate, and in addition to operating budget contributions and annual general support/membership contributions to ALEC. The Executive Director shall determine the contribution required for each educational activity.

***VI. PROCESS FOR SELECTING TASK FORCE MEMBERS, CHAIRS, COMMITTEES AND ADVISORS***





- A. Prior to February 1 of each odd-numbered year, the current and immediate past National chairman will jointly select and appoint in writing **three legislative members and three alternates to the Task Force** who will serve for the current operating cycle, after receiving nominations from ALEC's Public and Private State Chairs, the Executive Director and the ALEC Public and Private Sector members of the Board. At any time during the year, the National Chairman may appoint in writing new legislator members to each Task Force, except that no more than three legislators from each state may serve as members of any Task Force, no legislator may serve on more than one Task Force and the **appointment cannot be made earlier than thirty days** after the new member has been nominated. In an effort to ensure the nonpartisan nature of each Task Force, it is recommended that no more than two legislators of any one political party from the same state be appointed to serve as members of any Task Force. A preference will be given to those ALEC legislator members who serve on or chair the respective Committee in their state legislature. A preference will be given to legislators who sponsor ALEC Task Force model legislation in the state legislature.
- B. Prior to January 10 of each odd-numbered year, the current and immediate past National Chairman will jointly select and appoint in writing **the Task Force Chair** who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Chair and may be placed in rank order prior to transmittal to the Executive Director no later than December 1 of each even-numbered year. No more than five names may be submitted in nomination by the outgoing Task Force chair. The current and immediate past National Chairmen will jointly make the final selection, but should give strong weight to the recommendations of the outgoing Task Force Chair. In an effort to empower as many ALEC leaders as possible, State Chairs and members of the Board of Directors will not be selected as Task Force Chairs. Task Force Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past National Chairmen may reappoint a Task Force Chair to a second operating cycle term.
- C. Prior to February 1 of each odd numbered year, the Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members of the **Task Force Executive Committee**, who will serve for the current operating cycle. The Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members and advisors to any subcommittee.



- D. Prior to February 1 of each year, the Private Enterprise Board Chair and the immediate past Private Enterprise Board Chair will select and appoint in writing the private sector members to the Task Force who will serve for the current year. The appointment letter shall be mailed to the individual designated as the primary contact for the private sector entity. At any time during the year, the Chair of the Private Enterprise Board may appoint in writing **new private sector members** to each Task Force, but no earlier than thirty days after the new member has qualified for full membership in ALEC and contributed the assessment for the appropriate Task Force's operating budget.
- E. Prior to January 10 of each odd-numbered year, the Chair of the Private Enterprise Board and the immediate past Private Enterprise Board Chair will select and appoint in writing the **Task Force Private Sector Co-Chair** who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Private Sector Chair and may be placed in rank order prior to transmittal to the Chair of the Private Enterprise Board. The Chair and the immediate past Chair of the Private Enterprise Board will make the final selection, but should give strong weight to the recommendations of the outgoing Private Sector Task Force Co-Chair. In an effort to empower as many ALEC private sector members as possible, Private Enterprise State Chairs and members of the Private Enterprise Board will not be selected as Private Sector Task Force Co-Chairs. Private Sector Task Force Co-Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past Chair of the Private Enterprise Board may reappoint a Task Force Private Sector Chair to a second operating cycle term.
- F. Prior to February 1 of each odd-numbered year, the Task Force Private Sector Co-Chair will select and appoint in writing the **private sector members of the Task Force Executive Committee**, who will serve for the current operating cycle. The Task Force Private Sector Co-Chair shall select and appoint in writing the private sector members of any subcommittees.
- G. The Public and Private Sector Task Force Co-Chairs, may jointly appoint subject matter experts to serve as **advisors** to the Task Force. The National Chair and the Private Enterprise Board Chair may also jointly recommend to the Task Force Co-Chairs subject matter experts to serve as advisors to the Task Force.



## ***VII. REMOVAL AND VACANCIES***

- A. The National Chair may remove any Public Sector **Task Force Co-Chair** from his position and any legislative member from a Task Force with or without cause. Such action will not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive Task Force meetings.
- B. The Public Sector Task Force Co-Chair may remove any legislative member of an **Executive Committee or subcommittee** from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive meetings.
- C. The Chairman of the Private Enterprise Board may remove **any Private Sector Task Force Co-Chair** from his position and any private sector member from a Task Force with cause. Such action shall not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues. .
- D. The Private Sector Task Force Co-Chair may remove any **private sector member of an Executive Committee or subcommittee** from his position with cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues.
- E. The Public and Private Sector Task Force Co-Chairs may remove an **advisor** from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such advisor whose removal is proposed.
- F. Any member or advisor may **resign** from his position as Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, public or private sector Task Force member, Task Force advisor, Executive Committee member or subcommittee member at any time by writing a letter to that effect to the Public Sector and Private Sector Task Force Co-Chairs. The letter should specify the



effective date of the resignation, and if none is specified, the effective date shall be the date on which the letter is received by the Public and Private Task Force Co-Chairs.

- G. All **vacancies** for Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, Executive Committee member and subcommittee member shall be filled in the same manner in which selections are made under Section VI. All vacancies to these positions must be filled within thirty days of the effective date of the vacancy.

#### ***VIII. MEETINGS***

- A. **Task Force meetings** shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs. Task Force meetings cannot be held any earlier than thirty-five days after being called, unless an emergency situation has been declared pursuant to Section VIII (H), in which case Task Force meetings cannot be held any earlier than ten days after being called. It is recommended that, at least once a year, the Task Forces convene in a common location for a joint Task Force Summit. **Executive Committee meetings** shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs and cannot be held any earlier than three days after being called, unless the Executive Committee waives this requirement by unanimous consent.
- B. **At least forty-five days** prior to a task force meeting any model bill, resolution or policy must be submitted to ALEC staff that will be voted on at the meeting. At least thirty-five days prior to a Task Force meeting, ALEC staff shall distribute copies of any model bill, resolution or policy statement that will be voted on at that meeting. This requirement does not prohibit modification or **amendment** of a model bill, resolution or policy statement at the meeting. This requirement may be waived if an emergency situation has been declared pursuant to Section VIII(H).
- C. **All Task Force meetings are open** to registered attendees and invited guests of ALEC meetings and conferences. Only regular Task Force Members may introduce any resolution, policy statement or model bill. Only Task Force members will be allowed to participate in the Task Force meeting discussions



and be seated at the table during Task Force meetings, unless otherwise permitted by the Public and Private Sector Task Force Co-Chairs.

- D. ALEC private sector member organizations may only be represented at Task Force and Executive Committee meetings by the individual addressed in the **appointment letter** sent pursuant to Section VI (D) or a designee of the private sector member. If someone other than the individual addressed in the appointment letter is designated to represent the private sector member, the designation must be submitted in writing to the Public and Private Sector Task Force Co-Chairs before the meeting, and the individual cannot represent any other private sector member at the meeting.
- E. All Task Force and Executive Committee meetings shall be conducted under the guidelines of **Roberts Rules of Order**, except as otherwise provided in these Operating Procedures. A copy of the Task Force Operating Procedures shall be included in the briefing packages sent to the Task Force members prior to each meeting.
- F. A majority vote of legislative members present and voting and a majority vote of the private sector members present and voting, polled separately, are required to approve any motion offered at a Task Force or Executive Committee meeting. A **vote** on a motion to reconsider would be only with the sector that made the motion. Members have the right, in a voice vote, to abstain and to vote present by roll-call vote. In all votes a member can change their vote up until the time that the result of the vote is announced. Only duly appointed members or their designee as stated in Section VIII (D) that are present at the meeting may vote on each motion. **No proxy, absentee or advance voting is allowed.**
- G. The Public Sector Task Force Co-Chair and the Private Sector Task Force Co-Chair, with the concurrence of a majority of the Executive Committee, polled in accordance with Section VIII (F), may schedule a **Task Force vote by mail or any form of electronic communication** on any action pertaining to policy statements, model legislation or educational activity. The deadline for the receipt of votes can be no earlier than thirty-five days after notification of the vote is mailed or notified by any form of electronic communication, unless an emergency situation is declared pursuant to Section VIII (H), in which case the deadline can be no earlier than ten days after notification is mailed or notified by any form of electronic communication. Such votes are exempt from all rules in Section VIII, except: (1) the requirement that copies of model legislation and



policy statements be mailed or notified by any form of electronic communication with the notification of the vote and (2) the requirement that a majority of legislative members voting and a majority of the private sector members voting, polled separately, is required to approve any action by a Task Force.

- H. For purposes of Sections VIII(A), (B) and (G), an **emergency situation** can be declared by:
  - (1) Unanimous vote of all members of the Task Force Executive Committee present at an Executive Committee meeting prior to the meeting at which the Task Force votes on the model bill, resolution or policy statement; or
  - (2) At least three-fourth majority vote of the legislative and private sector Task Force members (voting in accordance with Section VIII (F)) present at the meeting at which the members vote on the model bill, resolution or policy statement.
- I. Ten Task Force members shall **constitute a quorum** for a Task Force meeting. One-half of the legislative and one-half of the private sector members of an Executive Committee shall constitute a quorum for an Executive Committee meeting.

#### IX. ***REVIEW AND ADOPTION PROCEDURES***

- A. All Task Force policy statements, model bills or resolutions shall become **ALEC policy** either: (1) upon adoption by the Task Force and affirmation by the Board of Directors or (2) thirty days after adoption by the Task Force if no member of the Board of Directors requests, within those thirty days, **a formal review by the Board of Directors**. General information about the adoption of a policy position may be announced upon adoption by the Task Force.
- B. The Executive Director shall notify the Board of Directors of the approval by a Task Force of any policy statement, model bill or resolution within ten days of such approval. Members of the Board of Directors shall have thirty days from the date of Task Force approval to review any new policy statement, model bill or resolution prior to adoption as official ALEC policy. Within those thirty days, any member of the Board of Directors may request that the policy be



**formally reviewed** by the Board of Directors before the policy is adopted as official ALEC policy.

- C. A member of the Board of Directors may request a formal review by the Board of Directors. The **request must be in writing** and must state the cause for such action and a copy of the letter requesting the review shall be sent by the National Chairman to the appropriate Task Force Chair. The National Chairman shall schedule a formal review by the Board of Directors no later than the next scheduled Board of Directors meeting.
- D. The review process will **consist of key members of the Task Force**, appointed by the Task Force Chair, providing the support for and opposition to the Task Force position. Position papers may be faxed or otherwise quickly transmitted to the members of the Board of Directors. The following is the review and adoption procedures:
  - **Notification of Committee:** Staff will notify Task Force Chairs and the entire task force when the Board requests to review one of the Task Forces' model bills or resolutions.
  - **Staff Analysis:** Will be prepared in a neutral fashion. The analyses will include:
    - History of Task Force action
    - Previous ALEC official action/resolutions
    - Issue before the board
    - Proponents arguments
    - Opponents arguments
  - **Standardized Review Format:** To ensure fairness, a set procedure will be used as the format to ensure the model bill/resolution has a fair hearing before the Board.
    - Task Force Chair(s) will be invited to attend the Board Review
    - Task Force Chair(s) will decide who will present in support and in opposition for the model bill/resolution before the Board.
    - Twenty minutes that is equally divided will be given for both sides to present before the Board.
    - It is suggested that the Board not take more than twenty minutes to ask questions of the presenters.
    - Presenters will then be excused and the Board will have a suggested twenty more minutes for discussion and vote.





- All votes will be recorded for the official record.
  - **Notification of Committee:** The Director of Policy will notify presenters immediately after the vote. If the Board votes to send the model bill/resolution back to the task force, the Board will instruct the Director of Policy or another board member what to communicate.
- E.     **The Board of Directors can:**
- (1)     Vote to affirm the policy or affirm the policy by taking no action,  
          or
  - (2)     Vote to disapprove the policy, or
  - (3)     Vote to return the policy to the Task Force for further consideration  
          providing reasons therefore.
- F.     Task Forces may only undertake educational activities that are based on a policy statement, model bill or resolution that has been adopted as official ALEC policy, unless the Task Force votes to undertake the educational activity, in which case the educational activity is subjected to the same review process outlined in this Section. It is the responsibility of the Task Force Executive Committee to affirm by three-fourths majority vote conducted in accordance with Section VIII that an educational activity conforms to a policy statement, model bill or resolution.

## **X.     EXCEPTIONS TO THE TASK FORCE OPERATING PROCEDURES.**

Exceptions to these Task Force Operating Procedures must be approved by the Board of Directors.